

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Police Department - Nalgonda District - Permission to prosecute accused persons in Cr.No. 105/2010 of Alair Police Station under sections 10, 15, 18 and 20 of the Unlawful Activities (Prevention) Act, 1967 - Orders - Issued

HOME (LEGAL-II) DEPARTMENT

G.O.Ms.No.93

Dated: 23.05.2012

Read:

From the D.G.P., A.P., Hyd, Lr.Rc.No. 4061/Compts-4/2011,
dated: 26.07.2011.

ORDER:

Whereas, in the letter read above, the Director General of Police, Andhra Pradesh, Hyderabad, has requested the Government to accord permission to prosecute the accused A-1 Sriramula Srinivas, A-2 Tusharkanth Battacharya, A-3 Thallagudem Yadaiah and A-4 Basaju Narsimha Chary under sections 10, 15, 18 and 20 of the Unlawful Activities (Prevention) Act 1967 as subsequences amended with the existing sections 120-B and 153-B of the Indian Penal Code, 1860 and Section 8(1) of the Andhra Pradesh Public Security Act, 1992 in Cr.No.105/2010 of Alair Police Station, Yadagirigutta Circle of Nalgonda District.

2. And whereas, the Superintendent of Police, Nalgonda has stated that on reliable information on 01/08/2010. at 0700 hours the complainant Anthani Lingaiah S/o Gopaiah, Police Constable 827 along with Police Constable 1265 V.Sudharshan of Alair Police Station were went to Tangutoor (v) and found that on the night of 31/07/2010, some un-known party workers, of CPI (Maoist) organization which is banned by the Government of Andhra Pradesh have painted Red colour to Memorial Tomb of Pinninti Anjaiah (Sthupam) and tied Seven (7) banners, Four (4) Flags written as "MAOISTS VAROSTHSAVALU VIJAYAVANTHAM CHEYANDI MARTYRS WEEK FROM 28/07/2010 to 03/08/2010, GREEN HUNT KU VYTHIREKANGA PORATAM CHEYANDI ETC, BY THE CPI (Maoist) party and informed the same to Station House Officer, Alair Police Station, through a written complaint. Basing on the Complaint, Sub-Inspector Alair Police Station, registered a case in Cr.No. 105/2010 under section 153-A Indian Penal Code, 1860 and section 8 (1) of the Andhra Pradesh Public Security Act, 1992 on 01/08/2010, at 0800 hours.

3. And whereas, during the course of investigation, the I.O. examined and recorded the statements of the witnesses in Part-II CID. Visited scene of offence, secured two mediators, conducted offence panchanama, of the scene drafted a rough sketch of the scene and seized Seven (7) Banners and Four (4) Flags, written in Telugu language with white paint on the Red Colour clothes under cover of a panchanama and also photographed the scene by covering tied flags and banners of Pinninti Anjaiah, which was painted by the accused persons;

4. And whereas, while the investigation was in progress, on 09/08/2010. at 1500 hours the accused A-4 to A-9 were arrested and interrogated thoroughly. During the investigation, A-4 to A-9 confessed that they committed the offence as per the instructions and directions of A-1 to A-3

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with the help of A-4 who intention into criminal conspiracy to again supremacy in the area and recorded their confessional statements before the mediators separately and remanded them to judicial custody under proper escort on 10/08/2010 by adding section 120-B of the Indian Penal Code, 1860 and sections 10, 15, 18 and 20 of the Unlawful Activities (Prevention) Act 1967 or subsequences amended with the existing sections 153-A of the Indian Penal Code, 1860 and section 8 (1) of the Andhra Pradesh Public Security Act, 1992.

And whereas, further SP Nalgonda District has stated that the accused A1 to A4 belongs to the CPI (Maoist) group, which was banned by the Government of India, under the Unlawful Activities (Prevention) Act, 1967 as subsequences amended. As such all the (4) accused are liable to be prosecuted under sections 10, 15, 18 and 20 of the Unlawful Activities (Prevention) Act 1967.

LIST OF ACCUSED

1. Sriramula Srinivas @ Sudarshan @ Kiran Kumar S/o Vaikuntham, 45 years, Padmashali, n/o Thimmapuram (V) of Arvapally (M), Nalgonda District, (Member of AOB SZC of CPI(ML) Maoist, present in Hi-tech Jail, Cherlapally)
2. Thusharkanth Battacharya @ Battacharya S/o Not known, R/o West Bengal State, present at Cherlapally Central Prison, Hyderabad (Central Committee Member of CPI (Maoist))
3. Thallagudem Yadaiah @ Kranhi @ Vinay S/o Ramulu, 23 years, Mala, Commander, Rachakonda L.O.S of CPI (Maoist) R/o Manthenigourelly(v), Yacharam (M) of R.R. District, present in Cherlapally Central Prison, Cherlapally, Hyderabad (Arrested in Cr.No. 24/2009 of Thurkapally PS)
4. Basoju Narsimha Chary @ Raghu @ Prabhu@ Janardhan @ Yadagiri S/o Krishnama Chary, 33 years, Vadla, Convener of TJKM R/o Mushipatla (v), Mothkur (M), present residing at Lalapet, Hyderabad (Nalgonda, Medak and Rangareddy districts Maoist party organizer)
5. Thallagudem Venkatesh S/o Ramulu, 25 years, Mala, Mason R/o Mathenigourelly(v), Yacharam (M) of R. R. District (Maoist party worker)
6. Chillumula Venkatesh S/o Chennaiah, 30 years, Madiga, Mason, R/o Thammadpally (v), Marrigudem (M) of Nalgonda district.
7. Bandi Sathyanarayana S/o Uppalaiah, 30 years, Goud, Tody tapper R/o Thurupugudem (v) of Alair Mandal.
8. Gundlapally Venkatesh @ Jinka Venkatesh S/o Sathaiah, 28 years, Goud, worker of Gowthami Explosives R/o Sharajipet (v) of Alair Mandal.
9. Gaddhepati Dhanaiah S/o Mallaiah, 38 years, Madhiga, Agril., R/o Pandenapally (v), Kattangur (M), present residing at Kattangur (v) of Nalgonda district.

And whereas, during the investigation, all concerned officials and witnesses were examined and advised to prosecute the accused A-1 Sriramula Srinivas, A-2 Tusharkanth Battacharya, A-3 Thallagudem Yadaiah and A-4

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Basoju Narsimha Chary under sections 10, 15, 18 and 20 of the Unlawful Activities (Prevention) Act 1967 as subsequences amended with the existing sections 120-B and 153-B of the Indian Penal Code, 1860 and section 8 (1) of the Andhra Pradesh Public Security Act, 1992 in Cr.No. 105/2010 of Alair Police Station, Yadagirigutta Circle of Nalgonda District.

7. And whereas, the Additional Public Prosecutor, I Addl. Sessions Court, Nalgonda has opined that in the instant case as seen from the CD file and material available on record, there is enough material available on record to charge the accused for the offences under sections 10, 15, 18 and 20 of the Unlawful Activities (Prevention) Act 1967, apart from other offences.

8. Now therefore in exercise of the powers conferred by section 45 of the Unlawful Activities (Prevention) Act, 1967 the Government of Andhra Pradesh, after careful examination of the report of the Director General of Police, Andhra Pradesh and considering the opinion of Additional Public Prosecutor, I Addl. Sessions Court, Nalgonda, material placed before them, hereby accord sanction to prosecute the accused A-1 Sriramula Srinivas, A-2 Tusharkanth Battacharya, A-3 Thallagudem Yadaiah and A-4 Basoju Narsimha Chary under sections 10, 15, 18 and 20 of the Unlawful Activities (Prevention) Act, 1967 in Cr.No. 105/2010 of Alair Police Station, Yadagirigutta Circle of Nalgonda District, in a competent court.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

AJOYENDRA PYAL
PRINCIPAL SECRETARY TO GOVERNMENT

To,
The Director General of Police, Andhra Pradesh, Hyderabad.

Copy to:

The Law (E) Department,
The P.S to Prl.Secy, Home Department.
C.No. 22017/Legal.II/ A2/2011
SF/SC.